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Attorneys for Defendants/Cross-Complainants
NORTH BAY CONSTRUCTION, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ISCO INDUSTRIES,

Case No. 4:06-CV-07082-CW

Plaintiff,

**STIPULATION AND ORDER
CONTINUING CASE MANAGEMENT
CONFERENCE**

v.

NORTH BAY CONSTRUCTION, INC., et
al.,

Defendants.

NORTH BAY CONSTRUCTION, INC. et
al,

Defendants/Cross-
Complainant,

v.

ISCO INDUSTRIES, LLC, a Kentucky
limited liability company, and ROES 1
through 50, inclusive,

Defendants.

Pursuant to Civil L.R. 7-12, that parties to the above-entitled action certify that they met
and conferred at least ten (10) days prior to the subsequent case management conference
scheduled in this case and jointly submit this Stipulation and [Proposed] Order Continuing the
Case Management Conference currently scheduled for January 25, 2011, for 90 days until April
19, 2011.

DESCRIPTION OF CASE DEVELOPMENTS

1. The following progress or changes have occurred since the last case management statement filed by the parties:

Pursuant to Order of this Court signed June 18, 2009, this matter is stayed pending completion of the leachate pipeline which is the subject matter of this litigation. Physical repair on the pipeline is completed, final testing of the pipeline is currently underway and approval of the pipeline will occur in the next 30 days, with leachate flowing thereafter.

2. The parties have agreed to a mediation following approval of the repaired pipeline with mediator Randall Wulff, at which time we will be able to assess if damages are set.

3. The parties jointly request the Court to make the following Order:

The parties request the Court set this matter for a further case management conference for not less than ninety (90) days from now, on April 19, 2011.

Dated: January ___, 2011

LEWIS BRISBOIS BISGAARD & SMITH, LLP

By _____
 Jeffrey G. Bairey
 Lorena Matei
 Attorneys for Cross-Defendant
 ISCO INDUSTRIES, LLC

Dated: January ___, 2011

BELL, ROSENBERG & HUGHTS LLP

By _____
 Roland Nikles
 Attorneys for Plaintiff and Cross-Defendants
 ISCO INDUSTRIES, LLC

Dated: January ___, 2011

ABBEY, WEITZENBERG, WARREN & EMERY

By _____
 David W. Berry, Esq.
 Jennifer M. Millier, Esq.
 Attorneys for Defendant/Cross-Complainants
 NORTH BAY CONSTRUCTION, INC.

SUPPLEMENTAL CASE MANAGEMENT ORDER

The Stipulation to Continue the January 25, 2011, Case Management Conference is hereby adopted by the Court and the parties are ordered to comply with this Order. The Case Management Conference is continued to April 19, 2011, at 2:00 p.m. Updated Case Management Conference Statements due one week prior to conference.

[In addition the Court orders as follows:]

Dated: 1/19/2011


UNITED STATES DISTRICT COURT JUDGE
Claudia Wilken

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